

KELLER BENVENUTTI KIM LLP
Jane Kim (#298192)
(jkim@kbbkllp.com)
David A. Taylor (#247433)
(dtaylor@kbbkllp.com)
Thomas B. Rupp (#278041)
(trupp@kbbkllp.com)
650 California Street, Suite 1900
San Francisco, CA 94108
Tel: (415) 496-6723
Fax: (650) 636-9251

*Attorneys for Debtors and Reorganized
Debtors*

LAW OFFICES OF JENNIFER L. DODGE INC.
Jennifer L. Dodge (#195321)
(jdodgelaw@jenniferdodgelaw.com)
2512 Artesia Blvd., Suite 300D
Redondo Beach, California 90278
Tel: (310) 372.3344
Fax: (310) 861.8044

UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF CALIFORNIA – SAN FRANCISCO DIVISION

In re:

PG&E CORPORATION,

- and -

**PACIFIC GAS AND ELECTRIC
COMPANY,**

Debtors.

☒ Affects Pacific Gas and Electric Company

** All papers shall be filed in the Lead Case,
No. 19-30088 (DM).*

Case No. 19-30088 (DM)
Chapter 11
(Lead Case)
(Jointly Administered)

**REORGANIZED DEBTOR PACIFIC
GAS AND ELECTRIC COMPANY'S
MOTION IN LIMINE NO. 3 TO
EXCLUDE DAMAGES OF \$5,000
SOUGHT BY CLAIMANT TODD
GREENBERG AS COMPENSATION
FOR HIS TIME AT TRIAL OF CLAIM
NO. 77335 (TODD GREENBERG)**

Trial: June 27, 2022
Time: 9:00 a.m. (Pacific Time)
Place: (Via Zoom Videoconference)
United States Bankruptcy Court
Courtroom 17, 16th Floor
San Francisco, CA 94102

1 In compliance with the Scheduling Order for Remote Trial entered by this Court on
2 February 16, 2022 [Dkt. No. 11943], Pacific Gas and Electric Company (the “**Utility**”), as
3 debtor and reorganized debtor (“**PG&E**” or “**Reorganized Debtor**”) in the above-captioned
4 Chapter 11 cases (the “**Chapter 11 Cases**”), with regard to Proof of Claim number 77335 (the
5 “**Claim**”) filed by Todd Greenberg (“**Greenberg**” or “**Claimant**”), pursuant to Section 502 of
6 Title 11 of the United States Code (the “**Bankruptcy Code**”), hereby files this Motion in
7 Limine No. 3 to exclude damages of \$5,000 sought by Greenberg as compensation for his time
8 in handling this Claim because there is no legally cognizable basis for such damages.

9 In accordance with the Scheduling Order regarding Pre-Trial Objections and Motions in
10 Limine, counsel for PG&E certifies that she has complied in good faith with the meet and confer
11 requirements set forth therein and that she has met and conferred with counsel for Greenberg
12 prior to filing this Motion in Limine. Declaration of Jennifer L. Dodge (“Dodge Decl.”), ¶ 3.

13 Greenberg filed a motion to amend his claim in March 2022 [Dkt. No. 11992], which the
14 Court tentatively granted at the hearing on the motion in April 2022. The Court’s Order
15 allowing Greenberg to amend his Claim was entered on May 12, 2022 [Dkt. No. 12375]. The
16 Amended Claim increased the damages for Greenberg’s time in handling the claim from \$4,800
17 (60 hours at \$80/hour) to \$5,000 (five days at \$1,000/day). To date Greenberg has not filed the
18 Amended Claim.

19 Greenberg testified at his deposition that he is not currently working. See Deposition of
20 Todd Greenberg attached as Exhibit A to Dodge Decl., ¶ 4, page 17. When asked how he
21 calculated his time at \$1,000 per day, Greenberg stated that he based this estimate upon his
22 salary when he was working as an investment advisor years earlier. See Exhibit A to Dodge
23 Decl., ¶ 4, pages 146-148.

24 Regardless of how Greenberg values his time, there is simply no legal basis for
25 Greenberg’s claim to be compensated for his own time. Greenberg cites no authority – and
26 indeed there is none – for his demand to be compensated for his time in handling the Claim.

27 ///

28 ///

1 For the foregoing reasons, PG&E respectfully submits that the \$5,000 in damages sought
2 as compensation for Greenberg's time be excluded from the trial of this matter.

3
4 June 21, 2022

Respectfully submitted,

6 KELLER BENVENUTTI KIM LLP

7 LAW OFFICES OF JENNIFER L. DODGE INC.

8
9 By: _____


Jennifer L. Dodge

10
11 Attorneys for Debtors and Reorganized Debtors
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28